REMARKS

Claims 1, 3-5, 7-9, and 11-12 are pending in the present application. By this amendment, claims 1, 3, 5, and 9 are amended and claims 2, 6, and 10 are cancelled without prejudice or disclaimer. Reconsideration of claims 1, 3-5, 7-9, and 11-12 is respectfully requested.

Claim Rejections – 35 USC § 103

The Examiner has rejected claims 1, 5, and 9 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2002/0114466 to <u>Tanaka et al.</u> in view of U.S. Publication No. 2001/0037452 to <u>Go et al.</u>; and claims 2, 3, 6, and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over '466 and '452 Publication number and further in view of U.S. Patent No. 6,938,162 to <u>Nagai et al.</u> and U.S. Patent No. 6,819,766 to <u>Weidong</u>.

Applicants respectfully traverse these rejections because Tanaka, either alone or in combination with Go, does not disclose or suggest the combination features recited by amended claims 1, 5, and 9, and generally claims 1, 3-5, 7-9, and 11-12. In particular, claim 1 recites a transmitter apparatus, including, among other things:

> a divider block configured to divide given contents into data units having a prescribed amount of data,
> a processor block configured to execute encryption processing against each of the divided data units using different encryption keys,
> a first adder block configured to add time information to each of the encrypted data units, said time information indicating reproduction timing, and
> a second adder block configured to add the link information to encrypted contents obtained by sequentially continuing the encrypted data units, each of the encrypted data units having said time information.

Thus, claim 1 recites *inter alia*, that the transmitter includes a divider block data stream construct to divide given contents into data units having prescribed amount of data and a processor block configured to encrypt the individual data units, and a first adder block to add time information to each of the encrypted data units. That is, the time information is a data construct for relating the individual data units to a reproduction timing for playback. A second adder block is configured to add another data stream construct, that is, a location for link information relating to the encrypted data units, and a sequential order.

Claim 5 recites a receiver apparatus, including among other things:

a recorder unit configured to store encrypted contents as well as link information including:

a storage block configured to store the link information as well as the encrypted contents obtained by executing encryption processing against each of divided data units using different encryption keys, said encrypted contents being obtained by adding time information, indicating reproduction timing, to each of the encrypted data units,...

wherein said decryption unit is configured to obtain from the communication network the encryption key as well as the other time information required by said uplink data, and is configured to decrypt the encrypted contents stored in said storage block in units of the data unit indicated by the other time information.

Thus, claim 5 recites *inter alia*, that the recorder unit includes a specific storage block configured to store the link information as well as the encrypted contents obtained by executing encryption processing against each of the divided data units. Further, said encrypted contents being obtained by adding time information, that is specific to the data construct and indicating reproduction timing and also specific to the playback reproduction for each of the encrypted data constructs within the data stream. The decryption units are configured to obtain from the communication network specific encryption keys as well as the other time information required by said uplink data, and are configured to decrypt the encrypted contents stored in said storage block, in units of the data unit, indicated by the other time information.

Similarly, claim 9 recites a data receiving method, including, among other things:

executing encryption processing against each of the divided data units...

generating uplink data based on the stored link information, said uplink data requiring an encryption key for decrypting the encrypted contents;...

in the generating step, said uplink data requires the time information as well as the encryption key for decrypting the encrypted contents in units of said data units,

in the receiving step, the time information is received from said communication network, and

in the decrypting step, the data units indicated by the received time information are decrypted using the received encryption key.

Thus, claim 9 recites *inter alia*, that a data receiving method includes generating an uplink data construct based upon the stored link information, with said uplink data requiring an encryption key for decrypting encrypted contents. Further decrypting the stored encrypted

7

contents based on a specific encryption key. That said, the encrypted contents are also processed with stored link information. One kind of "link information" being time information indicating reproduction timing, that is a playback timing.

Neither Tanaka nor Go show, or for that matter describe any equivalent structure or process concerning time information, indicating reproduction timing added to each of the encrypted data units, as claimed in independent claims 1, 5, and 9. Rather, Tanaka discloses a structure that is quite different from that of the present invention.

Tanaka, for example, employs a Cypher Block Chaining (CBC) routine for handling an encrypted content block and linking that is "chaining" to a specific key string. See, page 5, ¶¶ [0095]-[0097]. However, Tanaka appears to only tie a specific data chain to a specific encrypted key or key sequence. In Tanaka, no data block is discussed for associating a reproduction timing with an encrypted data. These deficiencies, among others, render Tanaka as particularly inapplicable to claims 1, 5, and 9.

Go fails to make up the deficiencies noted with respect to Tanaka. Go does not disclose any equivalent for the claimed time information, indicating reproduction timing, added to each of the encrypted data units. Rather, Go discloses a general method for storage and resident deployed encryption-key management. See, ¶¶ [0016] and [0017]. Go makes no mention of encrypted data linking and any timing handling.

As Go is understood, and is the foregoing makes apparent, Go's data stream handling does not add a specific reproduction timing to the encrypted data blocks, but rather applies a encrypted key to a data block for decryption. As a result, the Applicants respectfully submit that Go fails to describe Applicants invention. At least for this reason, Go is not properly combinable with Tanaka to render obvious any of claims 1, 5, and 9.

Therefore, Applicants respectfully submits that a *prima facie* case of obviousness has not been established through the combination of Tanaka and Go, and the rejection under § 103 must be withdrawn.

Furthermore, neither Weidong nor Nagai make up the deficiencies noted above with respect to Tanaka and Go. With the cancellation of claims 2, 6, and 10, the rejection under § 103 to Tanaka, Go, Nagai, and Weidong is rendered moot. Since claims 3, 4, 7, 8, 11, and 12 depend from independent claims 1, 5, and 9, respectively, and further limit independent claims 1, 5, and 9, and for at least the reasons set forth above with respect to independent claims 1, 5, and 9, the rejection of claims 3, 4, 7, 8, 11, and 12` is also improper and must be withdrawn.

In view of the above amendments and remarks, Applicants respectfully submit that all the claims are allowable and that the entire application is condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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